

MATTHEW L. JOHNSON
(Name)C.T.F. P.O. Box 689
(Address)Soledad, CA. 93960
(City, State, Zip)D-33369
(CDC Inmate No.)

FILED

2008 JAN 14 PM 3:56

CLERK US DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIABY Rm DEPUTY

2254	1983	<input checked="" type="checkbox"/>
FILING FEE PAID		
Yes	No	<input checked="" type="checkbox"/>
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Yes	No	<input checked="" type="checkbox"/>
COPIES SENT TO		
Court	ProSe	<input checked="" type="checkbox"/>

**United States District Court
Southern District of California**

Pro se
MATTHEW LOUIS JOHNSON,

(Enter full name of plaintiff in this action.)

Plaintiff,

v.

CORRECTIONAL OFFICER-
CAPTAIN MR. DARR,

(Enter full name of each defendant in this action.)

Defendant(s).

'08 CV 0080 DMS POR

Civil Case No. _____

(To be supplied by Court Clerk)

Complaint Under the
Civil Rights Act
42 U.S.C. § 1983

A. Jurisdiction

Jurisdiction is invoked pursuant to 28 U.S.C. § 1343(a)(3) and 42 U.S.C. § 1983. If you wish to assert jurisdiction under different or additional authority, list them below.

B. Parties

1. **Plaintiff:** This complaint alleges that the civil rights of Plaintiff, MATTHEW LOUIS JOHNSON, who presently resides at C.T.F. P.O. Box 689, were violated by the actions of the below named individuals. The actions were directed against Plaintiff at CENTINELA STATE PRISON on (dates) 7-21-05, and _____.

(institution/place where violation occurred)

(Count 1)

(Count 2)

(Count 3)

2. **Defendants:** (Attach same information on additional pages if you are naming more than 4 defendants.)

Defendant CAPTAIN MR. DARR resides in Centinela State Prison
(name) (County of residence)
and is employed as a CAPTAIN OF THE PRISON. This defendant is sued in
(defendant's position/title (if any))
his/her ☒ individual ☐ official capacity. (Check one or both.) Explain how this defendant was acting
under color of law: BY VIOLATING PLAINTIFF EIGHT AMENDM-
ENT RIGHT OF THE U.S. CONST. INFLECTING CRUEL
AND UNUSUAL PUNISHMENT ON PLAINTIFF.

Defendant _____ resides in _____
(name) (County of residence)
and is employed as a _____. This defendant is sued in
(defendant's position/title (if any))
his/her ☐ individual ☐ official capacity. (Check one or both.) Explain how this defendant was acting
under color of law: _____

Defendant _____ resides in _____
(name) (County of residence)
and is employed as a _____. This defendant is sued in
(defendant's position/title (if any))
his/her ☐ individual ☐ official capacity. (Check one or both.) Explain how this defendant was acting
under color of law: _____

Defendant _____ resides in _____
(name) (County of residence)
and is employed as a _____. This defendant is sued in
(defendant's position/title (if any))
his/her ☐ individual ☐ official capacity. (Check one or both.) Explain how this defendant was acting
under color of law: _____

C. Causes of Action (You may attach additional pages alleging other causes of action and the facts supporting them if necessary.)

Count 1: The following civil right has been violated: 8th AMENDMENT OF THE U.S. CONST. CRUEL AND UNUSUAL PUNISHMENT. (E.g., right to medical care, access to courts, due process, free speech, freedom of religion, freedom of association, freedom from cruel and unusual punishment, etc.)

Supporting Facts: [Include all facts you consider important to Count 1. State what happened clearly and in your own words. You need not cite legal authority or argument. Be certain to describe exactly what each defendant, by name, did to violate the right alleged in Count 1.]

ON July 17th, 2005, around about 6:30am. A Racial Riot took place between the Blacks and Hispanics in the dinning hall on D-Facility at Centinela State Prison, in Imperial County, CALIF. And on July 20th, 2005, around about 10:00 am. Plaintiff along with Thred(3) other Inmates, two(2) Hispanics, and one other Black, who was Mac Reps. for the D-Facility, "Mac Reps. are some what negociater between Staff and Inmates, and are elected by the Inmates", were called to the D-Facility program office by the D-Facility Captain, MR. DARR, all Inmates of the facility were lock down, and all movements of Inmates was ordered by the Warden to be under escort of Staff and in cuffs, Plaintiff and the three other Inmate were took to the program office, once there, the Captain came in to talk to us about the situation that we all was unaware of, based on the Inmates that were involved were all housed in the D-facility Gym, the rest of the facility Inmates were housed in cells, and was all still in our cells when the Riot happend, at the meeting with.

please see continizing pgs.

Supporting Facts: [Include all facts you consider important to Count 3. State what happened clearly and in your own words. You need not cite legal authority or argument. Be certain to describe exactly what each defendant, *by name*, did to violate the right alleged in Count 3.]

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

D. Previous Lawsuits and Administrative Relief

- 1. Have you filed other lawsuits in state or federal courts dealing with the same or similar facts**

involved in this case? ☒ Yes ☐ No.

If your answer is "Yes", describe each suit in the space below. [If more than one, attach additional pages providing the same information as below.]

(a) Parties to the previous lawsuit:

Plaintiffs: MATTHEW LOUIS JOHNSON

Defendants: CAPTAIN DARR

(b) Name of the court and docket number: U.S. DISTRICT COURT - SOUTH-ERN DISTRICT OF CA. #06CV1257-JAH(POR)

(c) Disposition: [For example, was the case dismissed, appealed, or still pending?] DISMISSED WITHOUT PREJUDICE

(d) Issues raised: PLAINTIFF'S 6th, 8th, 9th, and 14th AMEND. VIOLATIONS OF THE U.S. CONST. BY CAPTAIN DARR PLACING PLAINTIFF LIFE IN DANGER, AS WELL AS PLAINTIFF'S CALIF. CONST. VIOLATIONS.

(e) Approximate date case was filed: APPROX. JUNE OF 2006

(f) Approximate date of disposition: DECEMBER 13, 2007

2. Have you previously sought and exhausted all forms of informal or formal relief from the proper administrative officials regarding the acts alleged in Part C above? [E.g., CDC Inmate/Parolee Appeal Form 602, etc.] ? ☒ Yes ☐ No.

If your answer is "Yes", briefly describe how relief was sought and the results. If your answer is "No", briefly explain why administrative relief was not sought.

Plaintiff first filed a 602, Appeal, and at the final stage of the 602 process, the final level Ref-USE to address Plaintiff's Complaint, and after several months, Plaintiff then submitted his Complaint in this Court, his Complaint was denied without Prejudice, on 12-13-07.

E. Request for Relief

Plaintiff requests that this Court grant the following relief:

1. An injunction preventing defendant(s): FROM continuing his unprofessional misconduct against other inmates by granting this complaint and requests.
2. Damages in the sum of \$ 500,000.
3. Punitive damages in the sum of \$ 1,500,000.
4. Other: IMMEDIATE RELEASE FROM PRISON, AND TO HAVE CAPTIAN DARR PROSECUTED FOR ASSULT.

F. Demand for Jury Trial

Plaintiff demands a trial by ☒ Jury ☐ Court. (Choose one.)

G. Consent to Magistrate Judge Jurisdiction

In order to insure the just, speedy and inexpensive determination of Section 1983 Prisoner cases filed in this district, the Court has adopted a case assignment involving direct assignment of these cases to magistrate judges to conduct all proceedings including jury or bench trial and the entry of final judgment on consent of all the parties under 28 U.S.C. § 636(c), thus waiving the right to proceed before a district judge. The parties are free to withhold consent without adverse substantive consequences.

The Court encourages parties to utilize this efficient and expeditious program for case resolution due to the trial judge quality of the magistrate judges and to maximize access to the court system in a district where the criminal case loads severely limits the availability of the district judges for trial of civil cases. Consent to a magistrate judge will likely result in an earlier trial date. If you request that a district judge be designated to decide dispositive motions and try your case, a magistrate judge will nevertheless hear and decide all non-dispositive motions and will hear and issue a recommendation to the district judge as to all dispositive motions.

You may consent to have a magistrate judge conduct any and all further proceedings in this case, including trial, and the entry of final judgment by indicating your consent below.

Choose only one of the following:

☐ Plaintiff consents to magistrate judge jurisdiction as set forth above.

OR

☒ Plaintiff requests that a district judge be designated to decide dispositive matters and trial in this case.

1-3-08
Date

Matthew L. Johnson
Signature of Plaintiff

(Continue of Pg. 6)

a). MATTHEW LOUIS JOHNSON
vs.

CORRECTIONAL OFFICER MS. A. DIAZ

b). U.S. DISTRICT COURT- SOUTHERN
DISTRICT OF CALIF. PLAINTIFF IS
UNABLE to locate the docket number
of that case.

c). Dispositioned by Plaintiff's Request,
Honorable LOUISE PORTER was the
Hearing Judge of that case.

d). DESTRUCTION OF Legal materials,
denying Plaintiff access to COURT.

e). APPROX. NOV. 2000.

f). April 21st, 2002.

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(CONTINUING From Page 3.)

Captain DARR, the first words out of his mouth was, "Somebody got their ass kicked, and it wasn't the Blacks", Plaintiff responded to Captain DARR by saying "Wow Captain, that wasn't very professional of you to say that", Captain DARR again responded, "Johnson when have you known me to be professional", Johnson/Plaintiff responded, "that's true", Captain DARR went on to tell all of the Mac. Reps that was there of what happened, and informed all of us, the Mac. Reps. that he's going to try to get the okay from the warden to allow all Mac. Reps. of the D-facility to go around and talk to all the other inmates of the facility while locked in their cells to try to resolved the matter, before someone gets killed, and then we were escorted back to our cells.

On July 21st, 2005, around about 10:00 am. The mac. Reps. was again called to the D-Facility program office, under escort, but with NO cuffs, Plaintiff, one other Black, and two Hispanics inmates by Captain DARR, upon arrival, Captain DARR came out of the office to meet us outside, him, his Sargent, and two other Correctional officers, Captain DARR informed all the Mac. Reps. that he got the okay

next pg.

(C-3)

(CONTINUING FROM Page 3.)

from the warden to allow the Mac Reps to go to the buildings under escort, cell by cell and talk to all the inmates to try to resolve the racial tension that had build up from the racial riot that had took place just 4 days earlier, all Mac Reps were split up to go to different buildings, all under escort, Captain DARR told Plaintiff, "Johnson you and I will start at Building (1), as there is (5) building on D-facility, not counting the gym, which is 6 building total, once Captain DARR and Plaintiff arrived at the building, all inmates were locked in their cells as expected by everyone, there were (2) other correctional officers on the floor, and one officer in the central tower, Captain DARR told Plaintiff to go ahead and talk to all the inmates cell by cell, Plaintiff did so, Captain DARR then started talking to the tower/central officer that was on second watch of D-facility, building number one, as Plaintiff finished the bottom tier, as the buildings has two tiers each, Plaintiff started on the second tier, as Plaintiff reached the last black cell on the second tier, cell 209 of (A) section, Captain DARR ordered the central tower to

next pg.

(2-4)
(CONTINUING FROM Page 3.)

go ahead and start the Hispanics showers, the Central tower then opened (4) Hispanics cells, as each cell house two inmates, (8) Hispanics exited their cells, as Plaintiff is a black inmate, their for, if any inmates was to exited their cells, it should have only been other blacks, as the Hispanics came out of their cells, Captain DARR and the rest of the Correctional officer stood and watched, two of the Hispanics moved towards the stairs, the same stairs Plaintiff had to use to exit the building, Plaintiff was watching them as he was, attacked from behind and knocked unconscious from a blow to his head from yet another Hispanic inmate, Plaintiff was woken by a officer placing handcuffs on him, Plaintiff then was taken to the D-Facility Medical to be examined, the doctor informed Plaintiff and the staff members that Plaintiff needed stitches in his lip, and in his head above his eye, Plaintiff was then taken to the D-Facility Program office in handcuffs, and placed in a room by his-self, minutes later, Captain DARR came in the room with Plaintiff and stated, 'SORRY ABOUT THAT next pg.

(C-5)

(CONTINUING FROM Page 3.)

JOHNSON, then left, around about 20 minutes later, the Investigating unit arrived to investigate the incident, the Goon Squad, they took photos of Plaintiff's face and head, as Plaintiff had injuries in his lip and head, Plaintiff was then escorted to the Institutional hospito and recieved stitches in his lip, and then Plaintiff was placed in the whole, ordered by Captain DARR, Correctional officer LT. Granish of D-Facility then came and talked to Plaintiff, and stated, "I was called in by the warden to come and clean up Captain DARR'S mess", Plaintiff was then kept in the whole up until the hearing date, which was July 28th, around about, Captain DARR alone with Plaintiff Correctional Counslor, MS. Robles, was present at the hearing, and Captian DARR Recommended that Plaintiff remain in the whole based on he feel Plaintiff oppose a treat to the Institution, the Chairman of the Hearing excepted the Captains Recommendation, and Plaintiff Stayed in the whole until he was transfered to another Institution, Plaintiff was then labiled skitsotran-tic by the Phyl. Doctor, and still remain under the Phyl. Care here at C.T.F.

next. pg.

(C-6)

(CONTINUING FROM pg. 3.)

Plaintiff filed a Complaint against Captain DARR timely while at Centinela State Prison, and exhausted all remedies through the Appeal process, the final level of Appeal of the 602 process. Refuse to respond, claiming that Plaintiff didn't go through the proper channels, which was NOT TRUE, after several attempt to exhaust the final level, and several months passed, Plaintiff then file the Complaint in this Court, case number 06cv1257 JAH(POR) and on December 13, 2007, this Court Dismissed Plaintiff's Complaint without Prejudice.

Plaintiff is now Resubmitting the Complaint on a timely manner with a PRAYER for relief, as Plaintiff had prior Complaints of Captain DARR Misconduct, even before his promotion to Captain, when Captain DARR was the D-facility Stg. he came with several other officers and Ram Sacked Plaintiff cell and confiscated several personal items of Plaintiff, that incident took place around about 2001 at Centinela State Prison, Plaintiff wrote this Court about the incident to Honorable Louise Porter, she then addressed the warden and Plaintiff received his personal items back from then, Stg. DARR, as Plaintiff

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(Continuing from Pg. 3)

had previously dispositioned another civil matter against Centinela staff member for destroying his legal materials, Trial Transcripts etc. Hon. LOUISE Porter was the Judge of that matter as well.

This act of Cruel and Unusual Punishment by Captain DARR Violated Plaintiff's (8) Amendment Right of the United States by deliberately placing Plaintiff life in danger, there's no way the Contral tower would have opened those cells without the order from the Captain, the Captain was, and is the officer in charged of each facility program, and this Captain had a personal vendeta against Plaintiff for prior complaints against him, no other inmates were let out of their cells in any other building, and should not have been let out of their cell in the building Plaintiff was in, except for, to place Plaintiff life in Danger, Captain DARR Breched his Contract with the C.D.C. System to protect and to serve, as well as act unprofessional to Violate Plaintiff Eighth (8) Amendment of the U.S. Constitution by having Cruel and Unusual Punishment inflicted upon Plaintiff
next Pg.

(C-8)

(Continuing from pg. 3.)

by other inmates, this was also a act of terious, Captain DARR should have also been arrested and Prosecuted by the Imperial District Attorneys office, as Plaintiff was and is willing to press Criminal Charges against Captain DARR.

Plaintiff is still sufering from the Attack that was caused by Captain DARR Unprofessional miscon — duct that violated his Eighth Amen — dment Right of the U.S. Constitution by scars to his face earea, lip and his head, aswell as the fear of being set up and Attacked again by other staff members.

: FINAL CONCLUSION:

Plaintiff Respectfully PRAY this Complaint is Granted and Relief is ordered by this Hon. Court, to alliviate the sufering of Plaintiff.

Plaintiff also Request of this Hon. Court a Libral Construection of his Pleadings, as Plaintiff is unable to afford Counsel, as his is Indigent and Incarcerated and doing the best he can Pro se.

Respectfully Submitted,
Plaintiff,

MATTHEW L. JOHNSON,
Matthew L. Johnson.

23C

VERIFICATION

STATE OF CALIFORNIA)

COUNTY OF IMPERIAL)

(C.C.P. SEC. 446 & 2015.5; 28 U.S.C. sec 1746)

I MATTHEW L. JOHNSON declare under penalty of perjury that: I am the Petitioner in the above-entitled action; I have read the foregoing documents and know the contents thereof; and the same is true of my own knowledge except as to matters stated therein upon information and belief, and as to those matters, I believe they are true.

Executed this 3 day of Jan., 2008, at C.T.F.C. State Prison, P.O. Box 689, Imperial, Ca. 92251-9396

(Signature) Matthew L. Johnson
DECLARANT/PRISONER

PROOF OF SERVICE BY MAIL

(C.C.P. sec. 1013(a) & 2015.5; 28 U.S.C. sec 1746.)

I Leon Shelby, am a resident of C.T.F. Central State Prison, in the County of Imperial, State of California; I am over the age of eighteen (18) years and am not a party of the above-entitled action. My state prison address is: C.T.F. Central P.O. Box 689 - Soledad, CA. Imperial, Ca. 92251-9396

On JANUARY, 2008, I served the foregoing:

CIVIL RIGHT COMPLAINT

(Set forth the exact title of document(s) served.)

on the party(s) herein by placing a true copy(s) thereof, enclosed in a sealed envelope(s), with postage thereon fully paid, in the United States Mail, in a deposit box so provided at C.T.F.C. State Prison, P.O. Box 689, Imperial, Ca. 92251-9396, addressed as follows:

TO: Clerk of U.S. DISTRICT COURT
Room 4290
880 FRONT STREET
SAN DIEGO, CA. 92101-8900

Department of Justice
OFFICE OF THE ATTORNEY GENERAL
110 W. A Street Suite 1100
P.O. Box 85266
SAN DIEGO, CA. 92186-5266

There is delivery service by United States Mail at the so addressed, and/or there is regular communication by mail between the place of mailing and the place so addressed. I declare under penalty of perjury that the foregoing is true and correct.

DATED: JANUARY 3, 2008

Leon Shelby
DECLARANT/PRISONER

JS44

(Rev. 07/89)

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE SECOND PAGE OF THIS FORM.)

I (a) PLAINTIFFS

Matthew Louis Johnson

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF Monterey
(EXCEPT IN U.S. PLAINTIFF CASES)

DEFENDANTS	
2008	1983
FILING FEE PAID	
Yes	No
IF MOTION FILED	
Yes	No
COPIES SENT TO	
Court	Prison

2008 JAN 14 PM 3:56

CLERK US DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

Matthew Louis Johnson
PO Box 689
Soledad, CA 93960
D-33369

'08 CV 0080 DMS POR

II. BASIS OF JURISDICTION (PLACE AN X IN ONE BOX ONLY)

- ☐ 1 U.S. Government Plaintiff ☒ 3 Federal Question
(U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (PLACE AN X IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT)

- | | | | |
|---|----------------------------|---|----------------------------|
| PT | DEF | PT | DEF |
| <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of This State | | Incorporated or Principal Place of Business in This State | |
| <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen of Another State | | Incorporated and Principal Place of Business in Another State | |
| <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |
| Citizen or Subject of a Foreign Country | | Foreign Nation | |

IV. CAUSE OF ACTION (CITE THE US CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE. DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY).

42 U.S.C. 1983

V. NATURE OF SUIT (PLACE AN X IN ONE BOX ONLY)

CONTRACT	TORTS		FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> Marine <input type="checkbox"/> Miller Act <input type="checkbox"/> Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veterans Benefits <input type="checkbox"/> 160 Stockholders Suits <input type="checkbox"/> Other Contract <input type="checkbox"/> 195 Contract Product Liability	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury-Medical Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 RR & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (13958) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(e)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS - Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reappointment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State <input type="checkbox"/> 890 Other Statutory Actions
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Tort to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input checked="" type="checkbox"/> 550 Civil Rights			

VI. ORIGIN (PLACE AN X IN ONE BOX ONLY)

- ☒ 1 Original Proceeding ☐ 2 Removal from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judgment

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER f.r.c.p. 23

DEMAND \$

Check YES only if demanded in complaint:

JURY DEMAND: ☐ YES ☐ NO

VIII. RELATED CASE(S) IF ANY (See Instructions): JUDGE

Docket Number

DATE January 14, 2008

SIGNATURE OF ATTORNEY OF RECORD

R. M. Uccell